

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE: CONSTRUCTION EQUIPMENT  
RENTAL ANTITRUST LITIGATION

This Document Relates To:

ALL ACTIONS

Case No. 1:25-cv-3487  
MDL No. 3152

Hon. Sara L. Ellis

**CASE MANAGEMENT ORDER NO. 1  
DELINEATING ROLE OF INTERIM CO-LEAD CLASS COUNSEL AND  
PLAINTIFFS' STEERING COMMITTEE**

This matter having been before the Court with attorneys for various class plaintiffs having requested appointment as interim class counsel and proposing various leadership structures, ECF No. 99, having reviewed all applicants' written submissions, ECF Nos. 105, 107, 112, 114, having considered the oral presentations made by counsel during the hearing on leadership appointments held on September 9, 2025, ECF No. 127, having appointed the law firms of DiCello Levitt LLP ("DiCello Levitt") and Berger Montague PC ("Berger Montague") as Interim Co-Lead Class Counsel and a Plaintiffs' Steering Committee comprised of the firms Lockridge Grindal Nauen PLLP ("Lockridge"), Gustafson Gluek PLLC ("Gustafson"), Garwin Gerstein & Fisher LLP ("GGF"), Fegan Scott, LLC ("Fegan Scott"), Cuneo Gilbert & LaDuca, LLP ("CGL"), and Samantha M. Gupta of Freed Kanner London & Millen LLC ("Freed Kanner") for Plaintiffs and the Proposed Class at a hearing on October 8, 2025, and having entered a Minute Order on the Docket, ECF No. 136, the Court hereby **ORDERS** as follows:

DiCello Levitt and Berger Montague will be responsible for the overall conduct of the litigation on behalf of the Proposed Class, including supervising all counsel representing Plaintiffs in this MDL. As Interim Co-Lead Class Counsel, DiCello Levitt and Berger Montague have the

authority to:

- a. Conduct or supervise all pretrial, trial, and post-trial proceedings on behalf of Plaintiffs and the Proposed Class;
- b. Prepare and sign all pleadings, motions, briefs, discovery requests or objections, subpoenas or notices;
- c. Determine and present in motions, briefs, oral argument, or such other fashion as may be appropriate, the position of Plaintiffs and the Proposed Class as to all matters arising during pretrial and trial proceedings;
- d. Designate attorneys to act as spokespersons at pretrial conferences and hearings;
- e. Delegate tasks to counsel for Plaintiffs and the Proposed Class, as appropriate to serve the best interests of the Proposed Class;
- f. Coordinate and supervise the activities of other Plaintiffs' counsel, and implement procedures to ensure that schedules are met and unnecessary expenditures of time and funds are avoided by collecting from each firm regular time and expense reports;
- g. Coordinate with counsel for Defendants regarding procedural and case management matters to promote the orderly and efficient conduct of this litigation;
- h. Conduct and coordinate discovery on behalf of Plaintiffs and the Proposed Class;
- i. Consult with and retain expert witnesses and other consultants, as necessary, for Plaintiffs and the Proposed Class;
- j. Negotiate and enter into agreements, stipulations, consent motions, and protocols with opposing counsel, third parties, or any interested party;
- k. Negotiate with counsel for Defendants with respect to discovery, settlement, and other matters;

l. Explore, develop, and pursue settlement options on behalf of Plaintiffs and the Proposed Class and, when authorized to do so, entering into binding agreements;

m. Prepare any application for an award (or approval) of attorneys' fees and the reimbursement of litigation expenses incurred by Plaintiffs and the Proposed Class;


n. Allocate attorneys' fees or expenses that the Court may award in this matter amongst the various Plaintiffs' counsel participating in the case based on the reasonable judgment of Interim Co-Lead Class Counsel as to the contributions of each respective firm to the success of the case;

o. Coordinate and communicate as necessary with counsel for other parties and non-parties in the litigation regarding any matters addressed in this Order to ensure efficient use of the parties', non-parties' and the Court's time;

p. Otherwise coordinate the work of counsel for Plaintiffs and perform such other duties as they deem necessary and appropriate based upon their judgment and consideration or as authorized by further Order of the Court.

It is **FURTHER ORDERED** that Lockridge, Fegan Scott, Gustafson, GGF, CGL, and Freed Kanner (through Ms. Gupta) as members of the Plaintiffs' Steering Committee for the Proposed Class, will perform work under the direction of Interim Co-Lead Class Counsel and will carry out any other duties requested by Interim Co-Lead Class Counsel, or ordered by the Court.

Dated: 12/15/2025

  
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Hon. Sara L. Ellis  
United States District Judge